

**BOARD OF COUNTY COMMISSIONERS
Grant County, Washington**

**ORDINANCE ADDING A NEW
CHAPTER 11.36 TO GRANT COUNTY
CODE TITLE 11, VEHICLES AND
TRAFFIC ALLOWING THE USE OF
WHEELED ALL-TERRAIN VEHICLES
UPON DESIGNATED COUNTY ROADS**

ORDINANCE No. 17-039 -CC

WHEREAS, Grant County, Washington, has received a petition from the Sunland Estates Homeowner's Association concerning the use of WATV vehicles on County roads, an

WHEREAS, the Washington State Legislature, through the adoption of ESHB 1632 in 2013, codified in RCW Chapter 46.09, has authorized by way of ordinance the operation of certain wheeled all-terrain vehicles ("WATV") upon designated County Roadways with speed limits of 35 miles per hour or less, so long as the vehicles and their operator meet certain requirements; and

WHEREAS, the County completed a State Environmental Policy Act (SEPA) checklist outlining possible environmental impacts related to the use of WATVs on County Roadways which allowed for a public comment period; and

WHEREAS, the Board of County Commissioners ("Board") finds that it is in the best interest of the public to adopt provisions allowing for the use of WATVs upon designated County roads, and to impose penalties for the violation thereof; and

WHEREAS, the Board finds that the above stated purpose will be furthered by adding a new Chapter 11.36 to Grant County Code Title 11; and

WHEREAS, the Board held a public hearing regarding the amendment of the Grant County Traffic Codes (GCTC) and the incorporation of ESHB 1632, as now codified in RCW Chapter 46.09 in the GCTC,

NOW, THEREFORE, BE IT HEREBY ORDAINED THAT the Grant County Board of Commissioners, ADOPTS AND HEREBY ADDS A NEW CHAPTER, 11.36, TO TITLE 11 OF THE GRANT COUNTY CODE, TO READ AS FOLLOWS:

Chapter 11.36 - WHEELED ALL-TERRAIN VEHICLES (WATVs)

Sections:

11.36.010 - Applicability.

This chapter shall apply to operation of WATVs on the County Roadways in Grant County, Washington.

11.36.020 - Operation of Wheeled All-Terrain Vehicles Permitted on Designated County Roads Only: A person may not operate a WATV on any County Roadway in Grant County except on the roads and segments of County Roadways designated below:

SUNLAND ESTATE AREA ROADS:

ROADNAME	ROADLOG	BMP	EMP
BOYER AV	31030	0	0.06
BOYER AV	31030	0.06	0.23
BOYER AV	31030	0.23	0.41
BOYER AV	31030	0.41	0.44
CHUKAR PL	31050	0	0.11
CHUKAR PL	31050	0.11	0.24
COMMUNITY ST	31160	0	0.05
COMMUNITY ST	31160	0.05	0.13
COMMUNITY ST	31160	0.13	0.18
COMMUNITY ST	31160	0.18	0.23
HILL ST	31180	0	0.06
HUNTER AV	31070	0	0.05
HUNTER AV	31070	0.05	0.1
HUNTER AV	31070	0.1	0.26
HUNTER AV	31070	0.26	0.39
HUNTER AV	31070	0.39	0.47
HUNTER AV	31070	0.47	0.54
HUNTER AV	31070	0.54	0.62
HUNTER PL	31075	0	0.03
LYNN ST	31080	0	0.08
QUINCY ST	31040	0	0.09
RIVER DR	31013	0	0.08
RIVER DR	31090	0	0.21
RIVER DR	31090	0.21	0.5
RIVER DR	31090	0.5	0.68
RIVER DR	31090	0.68	0.77
RIVER DR	31090	0.77	0.86
S SECTION PL SW	31015	0	0.012
SAND ST	31010	0	0.05
SECTION AV	31010	0.05	0.21
SECTION AV	31010	0.21	0.38
SECTION AV	31010	0.38	0.63
SECTION AV	31010	0.63	0.64
VANTAGE ST	31060	0	0.13
WANAPUM ST	31000	3.01	3.06
WANAPUM ST	31000	3.06	3.13
WANAPUM ST	31000	3.13	3.18
WANAPUM ST	31000	3.18	3.21

Table 2, Total Miles of Road as shown in table 1:

ROADNAME	ROADLOG	BMP	EMP	TOTAL MILES
BOYER AV	31030	0	0.06	0.85
CHUKAR PL	31050	0	0.11	0.35
COMMUNITY ST	31160	0	0.05	0.41
HILL ST	31180	0	0.06	0.06
HUNTER AV	31070	0	0.05	1.16
HUNTER PL	31075	0	0.03	0.03
LYNN ST	31080	0	0.08	0.08
QUINCY ST	31040	0	0.09	0.09
RIVER DR	31013	0	0.08	1.63
S SECTION PL SW	31015	0	0.012	0.012
SAND ST	31010	0	0.05	0.05
SECTION AV	31010	0.05	0.21	1.27
VANTAGE ST	31060	0	0.13	0.13
WANAPUM ST	31000	3.01	3.06	6.39

11.36.030 Compliance with Chapter 46.09 RCW Required.

When operating a WATV on designated County Roadways, operators must comply with the provisions and requirements of Chapter 46.09 of the Revised Code of Washington.

11.36.040 Speed limit for WATV's.

A person may not operate a WATV on designated County Roadways exceeding the lesser of 35 miles per hour or the posted speed limit.

11.36.050 Violations – Penalties.

A person who violates:(1) Sections 11.36.020 or 11.36.040 of the County Code commits a traffic infraction.

(2) Section 11.36.030 of the County Code shall be subject to the penalty or violation as provided in Chapter 46.09 RCW.

11.36.060 Signs.

The County Engineer is directed and authorized to post and maintain, signs, in accordance with this Chapter and the manual on Uniform Traffic Control Devices for the purpose of marking intersections with signs where a WATV may cross a public road to advise motorists of the upcoming intersection.

11.36.070 Relation to Other Laws.

(1) Definitions contained in Chapters 46.04 and 46.09 of the Revised Code of Washington are adopted by this reference and shall apply to this Chapter.

(2) Except as otherwise provided in Chapter 46.09 RCW, nothing in this Chapter shall exempt any operator or owner of a non-highway vehicle from any rule of the road, traffic law or code, parking regulation, road use restriction, or road closure.

(3) Amendment of or addition to any part of the Chapters 46.04 RCW or 46.09 RCW by the State Legislature shall be deemed to amend or add to this chapter of the County Code or a part thereof, and it shall not be necessary for the Board of County Commissioners to take any action with respect to such amendment or addition.

11.36.080 Provisions for Adding/Deleting Roads.

Requests to add and/or delete roads to/from those named in Section 11.36.022 shall be made in writing to the Board of County Commissioners by February 1 of each year. At the discretion of the Board of County Commissioners, the County may hold a public hearing in March/April of each year, or as soon thereafter as practicable, to make a decision whether to adopt said requests through ordinance amendment.

11.36.090 Severability.

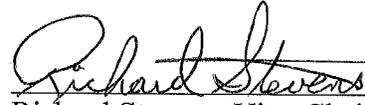
If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

DATED this 18th day of April, 2017.

**BOARD OF COUNTY COMMISSIONERS
GRANT COUNTY, WASHINGTON**

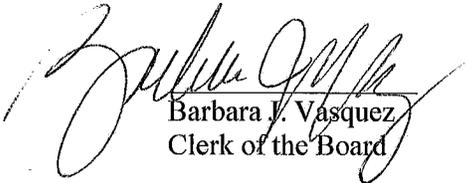
Yea Nay Abstain


Cindy Carter, Chair


Richard Stevens, Vice-Chair

ATTEST:


Tom Taylor, Member


Barbara J. Vasquez
Clerk of the Board